



Our Reference: 2076

61-2(-04) 1/16/04 DAC #6
PATENT

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicant: Ovshinsky, et al

RECEIVED

Serial Number: 10/043,010

JUN 16 2004

Filing Date: January 11, 2002

OFFICE OF PETITIONS

Title: FOUNTAIN CATHODE FOR LARGE AREA PLASMA
DEPOSITION
OFFICE OF PETITIONS

PETITION UNDER 37 CFR 1.137(b)
TO REVIVE ABANDONED APPLICATION

Attention: Office of Petitions
Mail Stop Petition
Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

Sir:

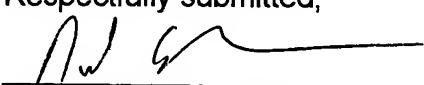
The undersigned, on behalf of Applicant(s), petitions the Commissioner to withdraw the abandonment of the above identified application. The application was abandoned for failure to Reply to Missing Parts as required by the Notice to File Missing Parts mailed February 12, 2002.

However, the Notice to File Missing Parts was mailed on May 3, 2002 with a one-month extention of time as referenced by the following:

- 1) A copy of the date-stamped return postcard from the U.S. Patent and Trademark Office.
- 2) A copy of the Certificate of Mailing.
- 3) Request for one-month Extension of Time
- 4) A response to the Notice to File Missing Parts
- 5) A declaration and Power of Attorney
- 6) Recordation Form Cover Sheet
- 7) Assignment
- 8) A Formalities Letter
- 9) Fee Transmittal for FY 2004

Please revive this patent application based upon the foregoing.

Respectfully submitted,


David W. Schumaker
Reg. No. 35,017

01/22/2004 HDEMESS1 00000004 051068 10043010

01 FC:1452 110.00 DA

Adjustment date: 06/17/2004 CKHLOK
01/22/2004 HDEMESS1 00000004 051068 10043010
01 FC:1452 110.00 CR

06/17/2004 CKHLOK 00000002 051068 10043010
01 FC:1453 1330.00 DA



Our Reference: 2076

PATENT

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicant: Ovshinsky, et al
Serial Number: 10/043,010
Filing Date: January 11, 2002
Title: FOUNTAIN CATHODE FOR LARGE AREA PLASMA DEPOSITION

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CERTIFICATE OF MAILING BY EXPRESS MAIL

Attention: Office of Petitions
Mail Stop Petition
Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

Sir:

Transmitted herewith is a Petition under 37 CFR 1.137(b) to Revive Abandoned Application, 1) A copy of the date-stamped return postcard from the U.S. Patent and Trademark Office, 2) A copy of the Certificate of Mailing, 3) A Request for one-month Extension of Time, 4) A response to the Notice to File Missing Parts, 5) A declaration and Power of Attorney, 6) Recordation Form Cover Sheet, 7) Assignment, 8) A Formalities Letter and Fee Transmittal for FY 2004 in the above referenced patent application.

I hereby certify that this correspondence is being deposited with the United States Postal Service "Express Mail Post Office to Addressee" service under 37 C.F.R. 1.10 in an envelope addressed to: Mail Stop Petition, Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450, on January 20, 2004, by U.S. EXPRESS MAIL LABEL NO.: EU528877485US.

Respectfully submitted,

Melinda Cihone

Energy Conversion Devices, Inc.
2956 Waterview Drive
Rochester Hills, Michigan 48309
(248) 293-0440
(248) 844-2273 (fax)



UNITED STATES PATENT AND TRADEMARK OFFICE

UNITED STATES DEPARTMENT OF COMMERCE
 United States Patent and Trademark Office
 Address: COMMISSIONER FOR PATENTS
 P.O. Box 1450
 Alexandria, Virginia 22313-1450
 www.uspto.gov

| APPLICATION NUMBER | FILING OR 371(C) DATE | FIRST NAMED APPLICANT | ATTY. DOCKET NO./TITLE |
|--------------------|-----------------------|-----------------------|------------------------|
| 10/043,010 | 01/11/2002 | Stanford R. Ovshinsky | 2076 |

24963
 ENERGY CONVERSION DEVICES, INC.
 2956 WATERVIEW DRIVE
 ROCHESTER HILLS, MI 48309

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OFFICE OF PETITIONS

NOTICE OF ABANDONMENT UNDER 37 CFR 1.53 (f) OR (g)

The above-identified application is abandoned for failure to timely or properly reply to the Notice to File Missing Parts (Notice) mailed on 02/12/2002.

- No reply was received.

A petition to the Commissioner under 37 CFR 1.137 may be filed requesting that the application be revived.

Under 37 CFR 1.137(a), a petition requesting the application be revived on the grounds of **UNAVOIDABLE DELAY** must be filed promptly after the applicant becomes aware of the abandonment and such petition must be accompanied by: (1) an adequate showing of the cause of unavoidable delay; (2) the required reply to the above-identified Notice; (3) the petition fee set forth in 37 CFR 1.17(l); and (4) a terminal disclaimer if required by 37 CFR 1.137(d).

Under 37 CFR 1.137(b), a petition requesting the application be revived on the grounds of **UNINTENTIONAL DELAY** must be filed promptly after applicant becomes aware of the abandonment and such petition must be accompanied by: (1) a statement that the entire delay was unintentional; (2) the required reply to the above-identified Notice; (3) the petition fee set forth in 37 CFR 1.17(m); and (4) a terminal disclaimer if required by 37 CFR 1.137(d).

Any questions concerning petitions to revive should be directed to the "Office of Petitions" at (703) 305-9282. Petitions should be mailed to: Mail Stop Petitions, Commissioner for Patents, P.O. Box 1450, Alexandria VA 22313-1450.

*A copy of this notice **MUST** be returned with the reply.*

IL Lee

Customer Service Center

Initial Patent Examination Division (703) 308-1202

PART 2 - COPY TO BE RETURNED WITH RESPONSE



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OFFICE OF PETITIONS

Our Reference: 2076

Applicant: Ovshinsky

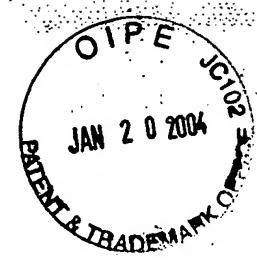
Application Number: 10/043,010

Filing date: 01/11/02

Title: FOUNTAIN CATHODE FOR LARGE AREA PLASMA DEPOSITION

Date of Mailing: 5/3/2002

Received by PTO: Response to Notice to File Missing Parts, a signed Declaration and Power of Attorney, Assignment, Recordation Form Cover Sheet, Formalities Letter and Request for Extension of Time Under 37 C.F.R. 1.136(a).



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OFFICE OF PUBLIC RECORDS

FINNANCE SECTION

2002 MAY 10 PM 1:41



Energy Conversion Devices
2956 Waterview Drive
Rochester Hills, MI 48309

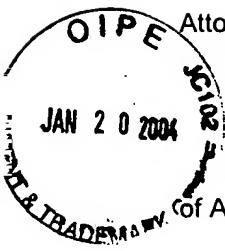
ATTN: DAVID SCHUMAKER

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OFFICE OF PETITIONS



Attorney Docket No.: 2076

#11 HEG
Post Card
5/3/02

DECLARATION AND POWER OF ATTORNEY

I, (a) Stanford R. Ovshinsky, declare that I am a respective citizen of (a) United States of America, residing at:

(a) 2700 Squirrel Road, Bloomfield Hills, Michigan 48304, USA

that I verily believe that I am the original and first inventor of the invention entitled:

FOUNTAIN CATHODE FOR LARGE AREA PLASMA DEPOSITION

the specification and claims of which [] are attached hereto;

[X] were filed on January 11, 2002 as application Serial No. 10/043,010, and was amended on _____ (if applicable) that I have reviewed and understand the contents of the above-identified specification including the claims, as amended by any amendment referred to above; that I acknowledge my duty to disclose information of which I am aware is material to the examination of this application in accordance with Title 37, Code of Federal Regulations, Section 1.56 (a); and that no application for patent or inventor's certificate of this invention has been filed in any country foreign to the United States of America prior to this application by us or our legal representative or assigns, except as follows: NONE.

I hereby appoint the following attorneys or agents to prosecute this application and to transact all business in the Patent and Trademark Office connected therewith:

| | |
|--------------------|-----------------|
| Philip H. Schlazer | Reg. No. 42,127 |
| Marvin S. Siskind | Reg. No. 28,153 |
| David W. Schumaker | Reg. No. 35,017 |
| Dean B. Watson | Reg. No. 43,242 |
| Kevin L. Bray | Reg. No. 47,439 |

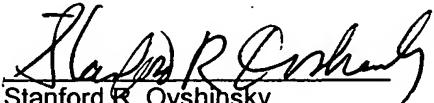
Address correspondence to:

David W. Schumaker
ENERGY CONVERSION DEVICES, INC.
2956 Waterview Drive
Rochester Hills, Michigan 48309

Each undersigned declarant declares that all statements made herein of declarant's own knowledge are true and that all statements made on information and belief are believed to be true; and further that these statements were made with the knowledge that willful false statements and the like so made are punishable by fine or imprisonment, or both, under Section 1001 of Title 18 of the United States Code, and that such willful false statements may jeopardize the validity of the application or any patent issuing thereon.

Date: 5/1/02

Inventor (a):


Stanford R. Ovshinsky

Post Office Address: Same as above.

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ASSIGNMENT

U.S. Patent Application Entitled:

FOUNTAIN CATHODE FOR LARGE AREA PLASMA DEPOSITION

Named Inventor (s):

Stanford R. Ovshinsky

For One Dollar and other good and valuable consideration, the receipt and sufficiency of which is hereby acknowledged, the undersigned inventor(s) hereby sell, assign, transfer and convey unto Energy Conversion Devices, Inc., a Delaware corporation having its principal address at 2956 Waterview Dr., Rochester Hills, Michigan 48309 (the ASSIGNEE), all their entire right, title and interest in and to the inventions set forth and described in the application for United States Letters Patent identified above and executed on even date herewith, and in and to all Letters Patent of the United States and foreign countries that may be obtained therefor, including any divisionals, continuations of any form, reissues, and extensions therefor, and any priority rights therein; and the Commissioner of Patents and Trademarks is hereby authorized and requested that any and all Letters Patent that may be granted to issue the same with respect to the rights granted and assigned herein to the ASSIGNEE or its successors and assigns. I agree hereby, without additional compensation except for the statutory fee applicable to witnesses testifying as to facts, but without cost to myself, to execute any corresponding required instruments of assignment, to promptly communicate to the ASSIGNEE or its representatives any facts known to the inventors respecting said invention whenever requested, to testify in any legal proceedings, to sign all lawful papers, to execute any and all divisional, continuing, reissue, and foreign application papers and powers, to make all rightful oaths and generally to do everything possible to aid the said ASSIGNEE, its successors and assigns, as and when requested by the ASSIGNEE, or its representatives, in obtaining and enforcing proper patent and utility model protection for the said inventions and improvements, in the United States and in all other countries of the world.

Signed and sealed this 1st day of May, 2002.



Stanford R. Ovshinsky

State of Michigan)
County of Oakland) SS
United States of America)

Sworn to and subscribed for the uses and purposes therein set forth this
1st day of May, 2002.



Darla V. Guerin-Sexauer
Notary Public, Macomb County, MI
Acting in Oakland County, MI
My Commission Expires: July 12, 2005

Tab settings

To the Honorable Commissioner of Patents and Trademarks: Please record the attached original documents or copy thereof.

1. Name of conveying party(ies):

Stanford R. Ovshinsky

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JAN 23 2004

OFFICE OF PETITIONS

Additional name(s) of conveying party(ies) attached? Yes No

3. Nature of conveyance:

Assignment Merger

Security Agreement Change of Name

Other _____

Execution Date: May 1, 2002

4. Application number(s) or patent number(s):

If this document is being filed together with a new application, the execution date of the application is: 01/11/2002

A. Patent Application No.(s)

10/043,010

B. Patent No.(s)

Additional numbers attached? Yes No

5. Name and address of party to whom correspondence concerning document should be mailed:

Name: David W. Schumaker

Internal Address: _____

Energy Conversion Devices, Inc.

Street Address: 2956 Waterview Dr.

Rochester Hills State: MI Zip: 48309

6. Total number of applications and patents involved: 17. Total fee (37 CFR 3.41).....\$ 40.00 Enclosed Authorized to be charged to deposit account

8. Deposit account number:

05-1068

(Attach duplicate copy of this page if paying by deposit account)

9. Statement and signature.

To the best of my knowledge and belief, the foregoing information is true and correct and any attached copy is a true copy of the original document.

David W. Schumaker

Name of Person Signing

Signature

Date

Total number of pages including cover sheet, attachments, and documents: 2Mail documents to be recorded with required cover sheet information to:
Commissioner of Patents & Trademarks, Box Assignments
Washington, D.C. 20231



Office Reference: 2076

PATENT

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicant: Ovshinsky

Serial Number: **RECEIVED** 10/043,010

Filing Date: **JAN 23 2004** January 11, 2002

Title: **OFFICE OF PETITIONS** FOUNTAIN CATHODE FOR LARGE AREA PLASMA DEPOSITION

RECEIVED

JUN 16 2004

OFFICE OF PETITIONS

CERTIFICATE OF MAILING

Hon. Commissioner of Patents
Washington, D.C. 20231

Sir:

Transmitted herewith is Response to Notice to File Missing Parts, a signed Declaration and Power of Attorney, Assignment, Recordation Form Cover Sheet, Formalities Letter and Request for Extension of Time Under 37 C.F.R. 1.136(a). in the above-identified patent application.

I hereby certify that this correspondence is being deposited with the United States Postal Service as First Class Mail in an envelope addressed to: Hon. Commissioner of Patents, Washington, D.C. 20231, on May 3, 2000.

Respectfully submitted,

Melinda Dildine

Energy Conversion Devices, Inc.
2956 Waterview Dr.
Rochester Hills, MI 48309
Phone: (248) 293-0440
Fax: (248) 844-2273